

# An Update on Graffiti in Carrboro

There has been an increase in the amount of visible graffiti throughout the downtown area.

## **This update will:**

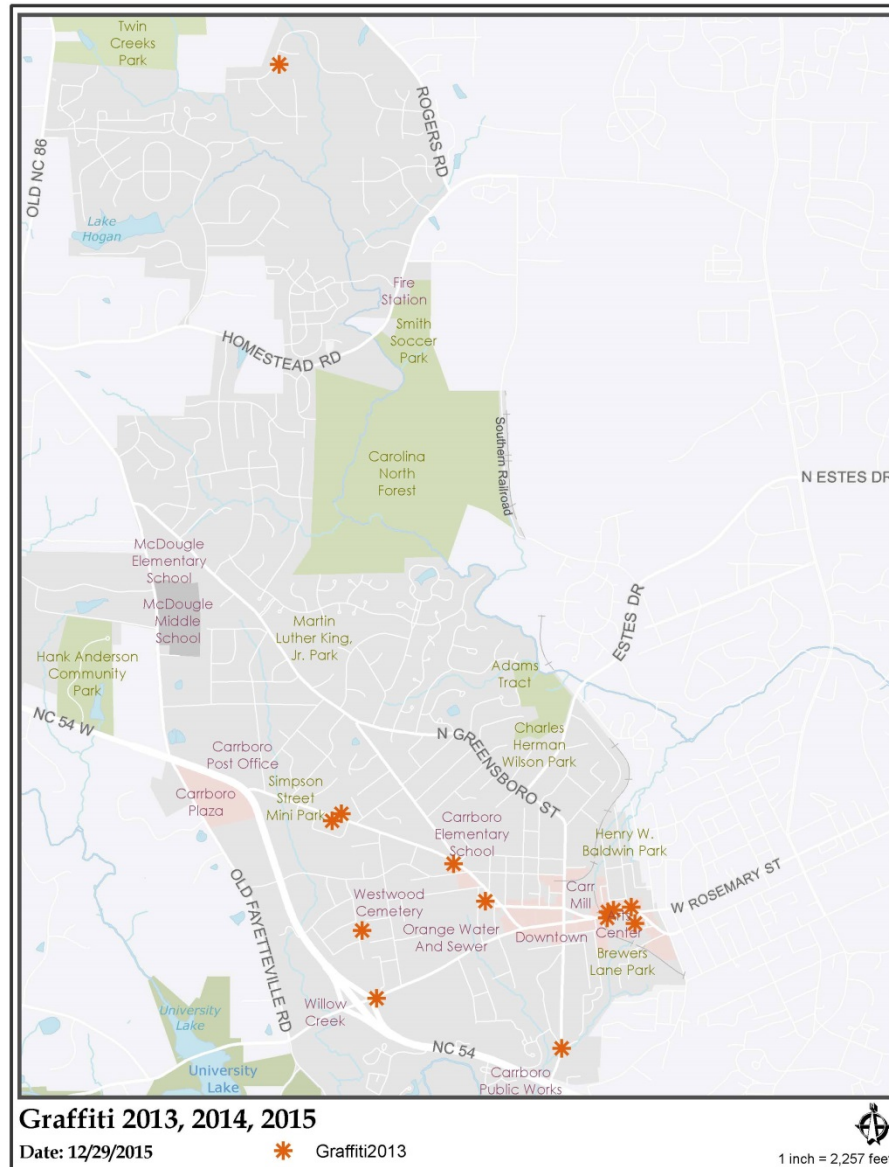
- Provide CPD statistics on vandalism/injury to real property reports
- Review CPD and Planning Department's perspective
- Look at how other communities approach vandalism and removal
- Consider possible abatement strategies



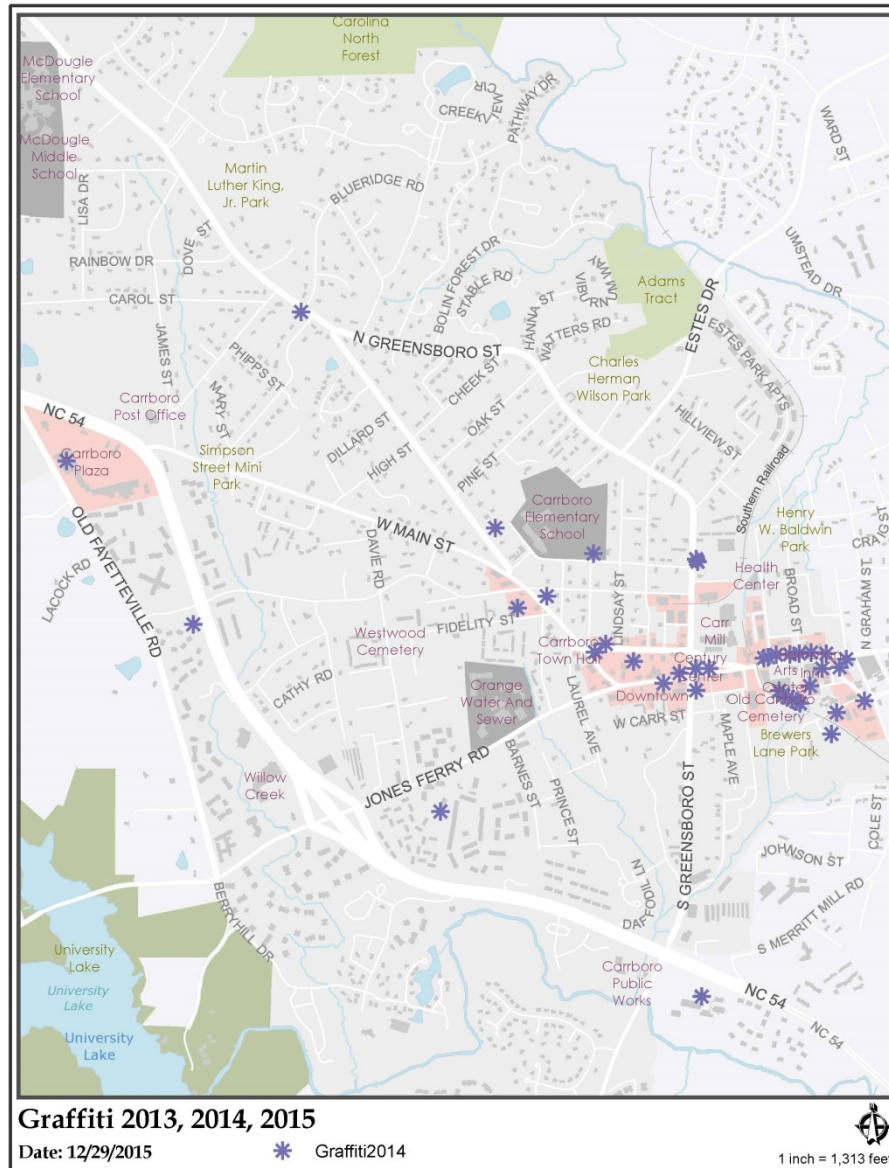
# CPD Vandalism Statistics

|                                     | 2013      | 2014      | 2015 (Jan-Nov) |
|-------------------------------------|-----------|-----------|----------------|
| Injury to real property             | 9         | 37        | 6              |
| Vandalism/ Defacing public property | 2         | 1         | 1              |
| Injure building                     | 1         | 1         | -              |
| Trespass                            | 1         | -         | -              |
| Suspicious person                   | 1         | -         | -              |
| Injury to personal property         | -         | 1         | -              |
| Injury to railroad property         | -         | 1         | 1              |
| Information                         | -         | 1         | -              |
| <b>TOTAL</b>                        | <b>14</b> | <b>42</b> | <b>8</b>       |

# Police Graffiti Reports 2013

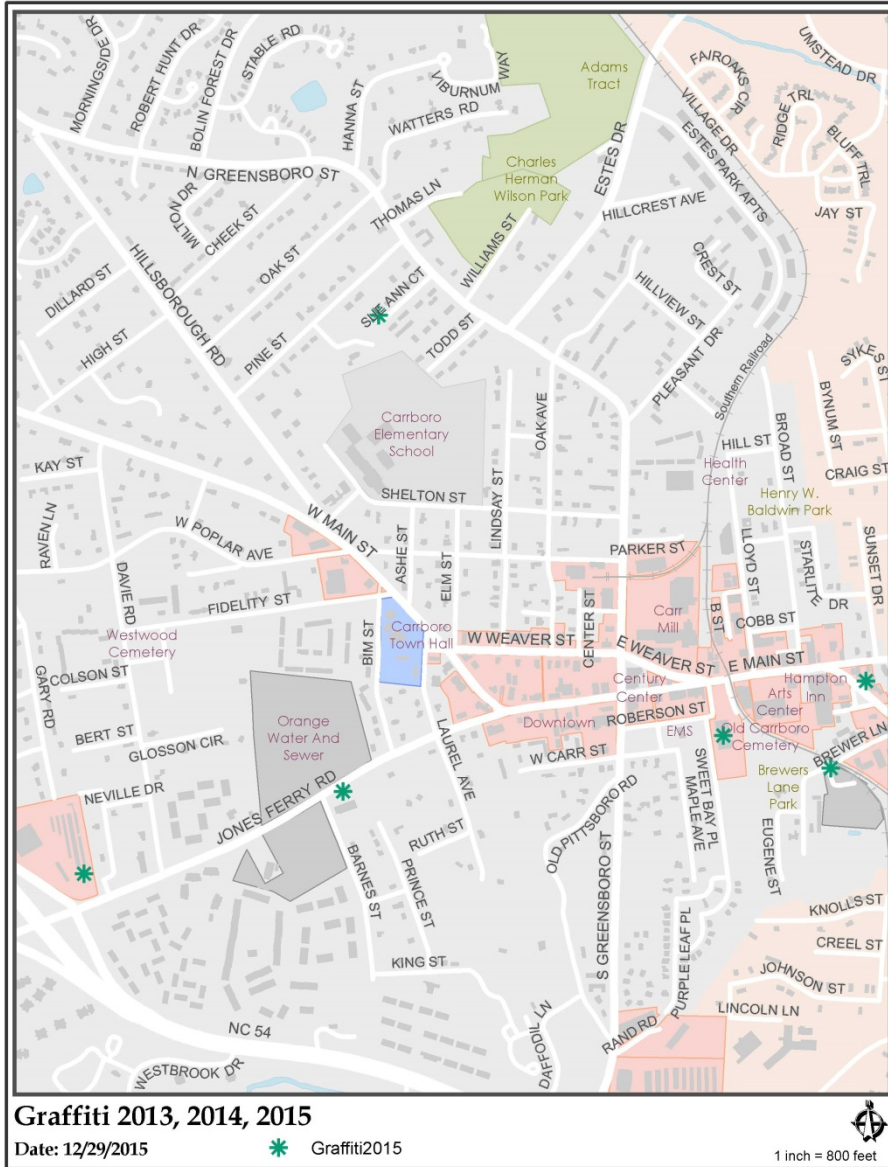


# Police Graffiti Reports 2014





# Police Graffiti Reports 2015



# CPD Input/Procedures

- In the past in an attempt to identify individuals who were responsible for tagging town property, the PD conducted surveillance operations with the goal of identifying offenders and possibly charging.
  - In the rare cases where an individual was caught in the act, they were charged. The court system in most cases did not convict the offender.
  - The town did not receive any restitution for the damaged committed.
  - The PD as part of daily operations continues to do foot patrol at night in and around the business district.
- Cornell

# Planning Input/LUO Application

- The Land Use Ordinance (LUO) does not reference or regulate graffiti directly.
- LUO Sections 15-272(5) and -272(9) allow for 'works of art' on buildings without the need to receive a sign permit. This is noted as it relates to the possibility that some forms / examples of graffiti may be considered art by some. For reference, these sections read as follows:

- *Section 15-272 Signs Excluded From Regulation.*

*The following signs are exempt from regulation under this chapter except for those stated in Subsection 15-282(b) through (e).*

*(5) Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts, or lights.*

*(9) Signs proclaiming religious, political, or other non-commercial messages [other than those regulated by Subdivision 15-273(a)(5)] that do not exceed one per abutting street and sixteen square feet in area and that are not internally illuminated. (**AMENDED 11/22/85**)*

- Staff has historically taken proposed murals (i.e. works of art) to the Appearance Commission for courtesy review, when we have learned of one being proposed in advance of its actual installation.

# What are other NC cities doing?

| CITY   | CLEAN UP RESPONSIBILITY      | WHO PAYS FOR CLEAN UP?                                   | DOES CITY HAVE IN-HOUSE CREW OR CONTRACT?  | GRACE PERIOD  | FINE  |
|--|------------------------------|--|--|---|---|
| <a href="#">Fayetteville, 2007</a>   | Owner                        | Owner  | None. City does no cleanup of graffiti on private property.  | 10 days   | up to \$100   |
| Raleigh, 2006 internal procedure (no graffiti specific ordinance, but if not removed is treated as nuisance) | Owner                        | Owner  | Four employees dedicated full-time to graffiti removal (much on public property in the greenways)  | ASAP  | No fine.  |
| <a href="#">Greenville, 2006</a>   | Owner                        | Owner  | Contractor in almost all situations. Paid for out of code enforcement budget, contract services line item. Then owner is billed.   | 10 days   | up to \$500   |
| <a href="#">Greensboro, 1999</a>   | Owner                        | Owner; Right to Appeal within 7 days of Notice to Remove | Contractor, who is paid out of the general fund; If not paid City sues in court to recover all expenses, including all admin costs, attorney's fees and may record a lien on the property.                   | 14 days   | up to \$100   |
| <a href="#">Wilmington, 2006</a>   | Owner                        | Owner  | City employees   | 15 days   | \$100 per day (not in ordinance; found at <a href="http://www.wilmingtonnc.gov/Home/News/tabid/429/ItemID/71/View/Details/Default.aspx">http://www.wilmingtonnc.gov/Home/News/tabid/429/ItemID/71/View/Details/Default.aspx</a> ) |
| <a href="#">Burlington 2014</a>  | Perpetrator, otherwise Owner | Owner  | Some cleanup by city staff, but mostly plan to use a contractor; cost recovery proceedings outlined in abatement of nuisance section of City Code.   | 10 days (unless property owner can demonstrate they have an "active program for removal," then 30 days) |   |
| <a href="#">Charlotte, 2001</a>  | Owner                        | Owner; Right to Appeal within 7 days of Notice to Remove | Code enforcement staff, or high school volunteers; If not paid City sues in court to recover all expenses, including all admin costs, attorney's fees and may record a lien on the property.                 | 7 days (unless deemed by the city as a danger to public health, safety, and welfare - then 48 hours).   | up to \$100   |
| <a href="#">Town of Cary, 2006</a>   | Perpetrator, otherwise Owner | Owner; Right to Appeal within 5 days of Notice to Remove | Code enforcement staff; if Town removes, bill owner for the costs. If not paid Town sues in court to recover all expenses, including all admin costs, attorney's fees and may record a lien on the property. | 72 hours if perpetrator; 5 days if property owner   | up to \$1,000-makes clear civil and criminal penalties  |



# Current Clean-up Policies

- For clean-up on public property, Public Works removes graffiti as soon as they are notified (typically by the Police Department or Rec & Parks).
- No current policy regarding clean-up on private property.

# Possible Abatement Strategies

- **Public Education:** Increasing awareness about graffiti improves the efficiency and amount of reporting of graffiti vandalism by the public.
  - **Associated Actions**
    - 1. Develop and distribute graffiti information for local residents and businesses to inform them about graffiti prevention, removal, and reporting. Make available at Town Hall, Police Department and other pertinent locations.
    - 2. Provide information on Town's website about graffiti prevention, removal and reporting, and Town's role in graffiti management/removal when that is defined.

# Possible Abatement Strategies

- **Develop/implement removal protocol for private property:** Define and implement protocol and expectation for private property owners on the removal of graffiti.
  - **Associated Actions:**
    - 1. Direct staff to draft graffiti removal guidelines on private property for BOA to review.
    - 2. Once adopted, develop educational materials to provide to local businesses and other private property owners.

# Possible Abatement Strategies

- **Public Art & Engagement:** Providing structured, legal opportunities for youth involvement in and display of public art to express youth culture and community art projects provide place making opportunities, and add to the visual aesthetic, community ownership and cultural capital of an area (i.e. free expression wall)
  - **Associated Actions:**
    - 1. Investigate options for a local mural/mosaic project
    - 2. Promote the inclusion of young people's art and street art in community festivals and events
    - 3. Continue to support, develop and promote creative and recreational programs

# Next Steps

- How should staff proceed to help efforts to reduce graffiti in Carrboro, particularly the downtown district?